

PAGES 9**ORIGINAL****ORIGINAL**

ROBERT LEE-OTIS NORTHROP,
in pro per, petitioner,
VERSUS,

CASE NO. **04-71156**
AVERN COHN

HONORABLE

JENNIFER GRANHOLM, GOVERNOR
AND CHIEF EXECUTIVE OFFICER
OF STATE OF MICHIGAN AND
MICHIGAN DEPARTMENT OF CORRECTIONS,
PATRICIA CARUSO, DIRECTOR OF MICHIGAN
DEPARTMENT OF CORRECTIONS, THOMAS
K. BELL, WARDEN OF GUS HARRISON
CORRECTIONAL FACILITY, THE PEOPLE
OF THE STATE OF MICHIGAN, respondent

MAGISTRATE JUDGE CAPEL

MAGISTRATE

U.S. COURT CLERK

APR -5 AMO 4

FILED

MAR 26 2004

CLERK'S OFFICE
U.S. DISTRICT COURT
EASTERN MICHIGANRECEIVED
MAR 26 2004
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U.S. DISTRICT COURTRECEIVED
MAR 26 2004
CLERK'S OFFICE
U.S. DISTRICT COURT

COMMON LAW PETITION FOR WRIT FOR HABEAS
CORPUS FROM A PERSON IN CUSTODY UNDER
THE COLOR OF A STATE COURT CONVICTION

- ① This Court has Jurisdiction over this catastrophe from inherent Authorities granted by the Constitution for the United States.
- ② This habeas corpus petition is not brought pursuant to 28 United States Code subsection 2254 because all provisions stipulations, and unrebutted presumptions by drafting into 28 United States Code subsection 2254, are inapplicable, do not exist in law, and using such statute would manifest prejudice to the rights of the petitioner.

PAGE ONE

- ③ This foregoing And forthcoming petition for writ of HABEAS Corpus is brought to this Court, by way of the Common Law
- ④ Petitioner, Robert LEE-Olis Northrop, hereinafter "petitioner", is held AS hostage And for ransom in violation of human rights And the U.S. Constitution At 2727 East Beecher Street, Adrian Michigan near postal zip code 49221
- ⑤ There is no state court remedy known by the petitioner to resolve the dispute, to pursue such remedy would be futile, And special circumstance exist that render a necessity for this Court to dispose of the issues on the merits.
- ⑤ The state courts; fail to acknowledge receipt of habeas corpus petitions, will not allow the petitioner file a petition for habeas corpus without prepayment of filing fees,
- ⑥ The forthcoming issues which are the cause of this petition can not be raised on appeal.
- ⑦ No state court motion would remedy the situation.
- ⑧ Abstention is inappropriate And in light of the merits of the case at bar to fail to grant relief or dispose of this case would be capricious And whimsical.

- ⑨ Absentment is barred in this Case because to Abstain would create the presumption that the Court's only Authority to ENFORCE the Constitution for persons in State custody is through 28 U.S.C. § 2254, which is either unpromulgated or unimplemented provision of Law existing by no delegation of Constitutional or Congressional Authority, and not registered in the Federal Register or C.F.R. cited, leaving situations such as the prisoner/petitioner no remedy in the Federal Courts.
- ⑩ When taken as a whole all foregoing truths and forthcoming facts provide that this Court by way of the Common Law hold the power to Grant relief.

FACTS, TRUTHS, AND OCCURRENCES WARRANTING HABEAS RELIEF.

- 11) Petitioner is held as a hostage in custody of Thomas K. Bell the warden of the Gus Harrison Correctional Facility in Adrian Michigan, by willful acts or omissions.
- 12) Thomas K. Bell is holding the petitioner as a hostage under the approval and guidance of Patricia Caruso, the Director of the Michigan Department of Corrections; by willful acts or omissions.
- 13) Thomas K. Bell is holding the petitioner as a hostage under the approval of Patricia Caruso, for and by discretion of Jennifer Granholm, Governor of the Michigan State and C.E.O. of (cont.)

Michigan Department of Corrections, by willful Acts or omissions,

- (14) Petitioner is held AS hostage by the respondents under the color of A state circuit court conviction which in law does not exist.
- (15) Petitioner is held AS hostage by the respondents under color of A state circuit court conviction wherein:
 - A) the criminal complaint predicated such is ; (one or All of the following)
 - 1) counterfeited in its entirety
 - 2) unsworn before a magistrate or person authorized to administer oaths.
 - 3) non-existent because it is unfiled
 - 4) sworn to by a fictitious party
 - 5) sworn to before a fictitious party
 - 6) A false document establishing no liability; commercial or criminal
 - B) No Affidavit has been submitted to a magistrate nor grand jury,
 - C) No criminal charges have been brought against the petitioner
 - D) The warrant predicated such is ; (one or All of the following) (continued)

- 1) Counterfeit in its entirety
- 2) Not issued by a court of competent jurisdiction
- 3) Does not name the petitioner as a defendant
- 4) Was not authorized by a prosecutor.
- 5) Was signed by a fictitious magistrate
- 6) Fails to describe the petitioner
- 7) Has never been issued
- 8) Establishes no commercial or criminal liability
- E) No criminal information has been filed
- F) No sworn or unsworn testimony has been submitted to a grand jury or clerk or magistrate to commence and provide foundation to the prison debts that the petitioner is paying.
- G) No probable cause determination timely or otherwise has been conducted.
- H) No court date or proceeding has been docketed.
- I) No bond or bail has been set by a magistrate.
- J) No attorney has been appointed to represent the petitioner during the pretended, fraudulent, fictitious, counterfeit forfeiture proceeding.

Continued

16) The petitioner is held AS A hostage under color of A state circuit court conviction wherein the commitments which purport to justify the illegal and unconstitutional confinement ARE PART OF A SET OF BANKING instruments OR securities that were fabricated for the sole purpose of:

A) Defrauding the United States Government, the Federal Deposit Insurance Company, The Federal Treasury, The State Treasury, The City of Detroit, the County of Wayne, State and Federal Government Agents, the public, political subdivision or organizations created by all previous named persons,

B) deceiving and misleading this Court and other courts (and their officers) AS to the legal rights and the obligations for the respondents and the petitioner,

CONCLUSION

17) The petitioner is imprisoned unlawfully, by virtue of A counterfeit commitment. The petitioner is and has been reduced to the role of A debt slave because of wicked intentions and acts of A fictitious persons/person who assumed the role of judge, prosecutor, magistrate, complaining party, for the purpose of

CAUSING the petitioner to be A prize seized by the operation of A counterfeit, false, fictitious, jurisdictionless trial wherein the petitioner would believe that he would have no other alternative but to be part of capture, seizure, forced servitude, and intrusion of his constitutional rights.

RELIEF SOUGHT

- 18) Immediate release ~~for~~ from confinement
- 19) Expungement of counterfeit conviction and all reference thereto.
- 20) return of all fingerprints, photos, and signed documents.
- 21) ^{OR} AN EVIDENTIARY HEARING

VERIFICATION

- 22) The Undersigned Affiant, Robert Lee-Otis Northrop, certifies on criminal, commercial, and civil liability that the Affiant has read this petition and issues the same with intent and understanding of purpose and does solemnly swear, declare, and state that the statements, allegations, and contents contained herein are true, correct, and complete, not misleading, the truth the whole truth and nothing but the truth.

Continued

- 23) The Affiant/petitioner is competent to the matters set foregoing.
- 24) Affiant has personal knowledge of the facts stated foregoing.
- 25) All facts stated foregoing are true complete, admissible as evidence, and if called upon to testify, Affiant/petitioner will do so competently, as to their veracity.

NOTICE TO PRINCIPAL IS NOTICE TO AGENT
NOTICE TO AGENT IS NOTICE TO PRINCIPAL

Wherefore, petitioner prays the court grant relief.

DEPONENT SAITH FORTH NAUGHT
PETITIONER SAITH FORTH NAUGHT


SWORN, SUBSCRIBED, AND AFFIRMED
BEFORE ME _____

A Notary Public on this 23rd day
of March 2004. CE, A Notary
Public for the County of Leawee
My Commission expires June 26, 2004

Signed: ROBERT LEE-OTIS NORTHROP

Robert Lee-Otis Northrop
In Care of; 270301
ARF

Post Office Box 1888
Adrian, Michigan near zip 49221


MAURICE JB WILLIAMS
Notary Public, Lenawee County, MI
My Commission Expires Jun 26, 2004

3/23/04

CIVIL COVER SHEET FOR PRISONER CASES

TO BE FILED IN DUPLICATE WITH EVERY NEW CIVIL ACTION

Name of 1st Listed Plaintiff

aka Robert Lee Otis Northrup

Name of 1st Listed Defendant

AVERN CONN

Inmate Number:

270301

Defendant's County

MACOMB COUNTY, MI

FACILITIES, LISTED ALPHA BY CITY:

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> PARR HIGHWAY CORRECTIONAL FACILITY
2727 E. BEECHER STREET
ADRIAN, MI 49221 | <input type="checkbox"/> SAGINAW CORRECTIONAL FACILITY
9825 PIERCE ROAD
FREELAND, MI 48623
SAGINAW COUNTY CODE: 26145 | <input type="checkbox"/> CHIPPEWA CORRECTIONAL FACILITY
4387 W. M-80
KINCHELOE, MI 49784 | <input type="checkbox"/> MACOMB CORRECTIONAL FACILITY
34825 28 MILE ROAD, P.O. BOX 480999
NEW HAVEN, MI 48048
MACOMB COUNTY CODE: 26099 |
| <input checked="" type="checkbox"/> GUS HARRISON CORRECTIONAL FACILITY
P2727 E. BEECHER STREET
ADRIAN, MI 49221
LENAWEE COUNTY CODE: 26091 | <input type="checkbox"/> WILLIAM DICKERSON FACILITY
3501 HAMTRAMCK DRIVE
HAMTRAMCK, MI 48211
WAYNE COUNTY CODE: 26163 | <input type="checkbox"/> HIAWATHA CORRECTIONAL FACILITY
4533 MARSHALL ROAD
KINCHELOE, MI 49786-0001 | <input type="checkbox"/> NEWBERRY CORRECTIONAL FACILITY
3001 NEWBERRY AVENUE
NEWBERRY, MI 49868
LUCE COUNTY CODE: 26095 |
| <input type="checkbox"/> BARAGA MAXIMUM CORRECTIONAL FACILITY
301 WADAGA ROAD
BARAGA, MI 49908
BARAGA COUNTY CODE: 26013 | <input type="checkbox"/> BELLAMY CREEK CORRECTIONAL FACILITY
1727 W. BLUEWATER HIGHWAY
IONIA, MI 48846 | <input type="checkbox"/> STRAITS CORRECTIONAL FACILITY
4269 W. M-80
KINCHELOE, MI 49784-0001 | <input type="checkbox"/> SCOTT CORRECTIONAL FACILITY
47500 FIVE MILE ROAD
PLYMOUTH, MI 48170 |
| <input type="checkbox"/> BOYER ROAD CORRECTIONAL FACILITY
10274 BOYER ROAD
CARSON CITY, MI 49811
MONTCALM COUNTY CODE: 26117 | <input type="checkbox"/> IONIA MAXIMUM FACILITY
1576 W. BLUEWATER HIGHWAY
IONIA, MI 48846 | <input type="checkbox"/> KINROSS CORRECTIONAL FACILITY
16770 S. WATERTOWER DRIVE
KINCHELOE, MI 49786
CHIPPEWA COUNTY CODE: 26033 | <input type="checkbox"/> WESTERN WAYNE CORRECTIONAL FACILITY
48401 FIVE MILE ROAD
PLYMOUTH, MI 48170
WAYNE COUNTY CODE: 26163 |
| <input type="checkbox"/> FLORENCE CRANE CORRECTIONAL FACILITY
P.O. BOX 307, 38 FOURTH STREET
COLDWATER, MI 49036 | <input type="checkbox"/> DEERFIELD CORRECTIONAL FACILITY
1755 HARWOOD ROAD
IONIA, MI 48846 | <input type="checkbox"/> MARQUETTE BRANCH PRISON
1968 S. US-41
MARQUETTE, MI 49855
MARQUETTE COUNTY CODE: 26103 | <input type="checkbox"/> OAKLAND COUNTY JAIL
P.O. BOX 436017
PONTIAC, MI 48343
OAKLAND COUNTY CODE: 26125 |
| <input type="checkbox"/> LAKELAND CORRECTIONAL FACILITY
141 FIRST STREET
COLDWATER, MI 49036
BRANCH COUNTY CODE: 26023 | <input type="checkbox"/> RIVERSIDE CORRECTIONAL FACILITY
777 W. RIVERSIDE DRIVE
IONIA, MI 48846 | <input type="checkbox"/> THUMB CORRECTIONAL FACILITY
3225 JOHN CONLEY DRIVE
LAPEER, MI 48446
LAPEER COUNTY CODE: 26087 | <input type="checkbox"/> MID-MICHIGAN CORRECTIONAL FACILITY
8201 N. CROSWELL ROAD
ST. LOUIS, MI 48880 |
| <input type="checkbox"/> MOUND CORRECTIONAL FACILITY
17601 MOUND ROAD
DETROIT, MI 48212 | <input type="checkbox"/> HANDLON MICHIGAN TRAINING UNIT
1728 BLUEWATER HIGHWAY
P.O. BOX 492
IONIA, MI 48846
IONIA COUNTY CODE: 26047 | <input type="checkbox"/> FEDERAL CORRECTIONAL INSTITUTION - MILAN
P.O. BOX 1000
MILAN, MI 48160-1090
WASHTENAW COUNTY CODE: 26161 | <input type="checkbox"/> PINE RIVER CORRECTIONAL FACILITY
320 N. HUBBARD
ST. LOUIS, MI 48880 |
| <input type="checkbox"/> RYAN CORRECTIONAL FACILITY
17600 RYAN ROAD
DETROIT, MI 48212 | <input type="checkbox"/> COOPER STREET CORRECTIONAL FACILITY
3100 COOPER STREET
JACKSON, MI 49201 | <input type="checkbox"/> MACOMB COUNTY JAIL
P.O. BOX 2308
MOUNT CLEMONS, MI 48043
MACOMB COUNTY CODE: 26099 | <input type="checkbox"/> ST. LOUIS CORRECTIONAL FACILITY
8585 N. CROSWELL ROAD
ST. LOUIS, MI 48880
GRATIOT COUNTY CODE: 26057 |
| <input type="checkbox"/> WAYNE COUNTY JAIL
570 CLINTON STREET
DETROIT, MI 48228
WAYNE COUNTY CODE: 26163 | <input type="checkbox"/> G. ROBERT COTTON CORRECTIONAL FACILITY
3510 N. ELM ROAD
JACKSON, MI 49201 | <input type="checkbox"/> MUSKEGON CORRECTIONAL FACILITY
2400 SHERIDAN DRIVE
MUSKEGON, MI 49442 | <input type="checkbox"/> STANDISH MAXIMUM CORRECTIONAL FACILITY
4713 W. M-81
STANDISH, MI 48658
ARENAC COUNTY CODE: 26011 |
| <input type="checkbox"/> OAKS CORRECTIONAL FACILITY
P.O. BOX 38, 1500 CABERFAE HWY.
EASTLAKE, MI 49628-0038
MANISTEE COUNTY CODE: 26101 | <input type="checkbox"/> CHARLES EGELER RECEPTION AND GUIDANCE CENTER
3855 COOPER STREET
JACKSON, MI 49201 | <input type="checkbox"/> EARNEST C. BROOKS CORRECTIONAL FACILITY
2500 S. SHERIDAN DRIVE
MUSKEGON HEIGHTS, MI 48444
MUSKEGON COUNTY CODE: 26121 | <input type="checkbox"/> HURON VALLEY CENTER
3511 BEMIS ROAD
YPSILANTI, MI 48197 |
| <input type="checkbox"/> GENESSE COUNTY JAIL
1002 S. SAGINAW
FLINT, MI 48502
GENESSE COUNTY CODE: 26049 | <input type="checkbox"/> PARNALL CORRECTIONAL FACILITY
1780 E. PARNALL
JACKSON, MI 49201 | <input type="checkbox"/> ALGER MAXIMUM FACILITY
P.O. BOX 600
INDUSTRIAL PARK DRIVE
MUNISING, MI 49862
ALGER COUNTY CODE: 26003 | <input type="checkbox"/> HURON VALLEY MEN'S FACILITY
3201 BEMIS ROAD
YPSILANTI, MI 48197
WASHTENAW COUNTY CODE: 26161 |
| | <input type="checkbox"/> SOUTHERN MICHIGAN CORRECTIONAL FACILITY
4010 COOPER STREET
JACKSON, MI 49201
JACKSON COUNTY CODE: 26075 | | |

OFFICE USE ONLY

PLAINTIFF ADDRESS: (IF NOT ABOVE)

BASIS OF JURISDICTION

ORIGIN

CASE OPENING

- ☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity

- ☒ 1 Original Proceeding
☐ 2 Removed From State Court
☐ 5 Transferred from another District

- ☒ OPEN AS FP
☐ OPEN AS CV
☐ OPEN AS X
☐ CHANGE X TO CV
☐ CHANGE X TO FP
☐ NO CREDIT REASSIGN TO

NATURE OF SUIT

JURY DEMAND

- ☐ 510 Motions to Vacate Sentence
☐ 530 Habeas Corpus
☐ 535 Habeas/Death Penalty
☒ 540 Mandamus
☐ 550 Civil Rights
☐ 555 Prison Condition
☐ 890 Other

Check YES only if demanded in complaint

- ☒ No
☐ Yes

FEE STATUS

- ☒ IFP In Forma Pauperis
☐ WAI Waived
☐ PD Fee Paid

PLAINTIFF'S COUNTY OF RESIDENCE:

LenaWee